As far as the attorneys' profession is concerned, there have been no meetings between the GCB and ALS since January 1992. The usual meeting with the ALS after the AGM of the GCB was not held. The Chairman was informed that the ALS has nothing to discuss with the GCB.

Attitude of ALS

At the AGM of the GCB the delegates were furnished with a copy of a document entitled "Problems in regard to legal representation and entry into the profession: possible solutions" which was prepared by a senior member of the ALS. This document, which deals inter alia with the problems which the attorneys' profession has in accommodating new graduates in the profession, contains the following paragraph:

The future of the Bar

Steps are under way to allow attorneys to appear in the Supreme Court in appropriate circumstances. These rights of appearance may be granted in the near future. Similar rights have recently been granted to solicitors in England. It may also transpire that CODESA, when compiling a final constitution, may well do away with the old distinction between the Bar and the attorneys' profession. This will bring about a change in the practice of the law.

Probably a de facto Bar will exist, but a need will be created for advocates who previously practised as advocates to join firms of attorneys. The new proposals for entry into the profession make provision for this.

The GCB is not aware of any steps which are under way to allow attorneys to appear in the Supreme Court or that these rights may be granted in the near future. The GCB has not been consulted by the ALS, the Department or the Minister in this regard. The apparent attitude of the ALS that the Bar may be abolished and may be replaced by a de facto Bar is a contradiction of the assurances given by the ALS delegates at the various meetings held during the past year that the ALS supports the continued existence of a strong and independent Bar.

The GCB will accept the findings and recommendations of a properly constituted commission of enquiry which enjoys the support of the profession and all other interested parties. Thus far the GCB has not been able to get the support of the Minister of Justice, the Department of Justice or the ALS all of whom appear to be bent on following their own agendas. This cannot be in the public interest and should not be permitted to continue.

Mr Civil Rights

Seeing that we are due to enter an era in which human rights will frequently engage the attention of our courts, it is interesting to take note of the pivotal role played in this field by Thurgood Marshall who, in 1991, retired as United States Supreme Court Justice at the age of 84, and who is generally referred to as "Mr Civil Rights" in the States.

Marshall was the first black person to be appointed as a judge in the USA and the first black judge to be elevated to the US Supreme Court.

It was Charles Hamilton Houston – also a black person – of Harvard Law School and later of the National Association for the Advancement of Colored People (NAACP), who trained Marshall and other lawyers to become the vanguard of the civil rights movement. Houston, in many civil rights cases argued by him in the State Courts, actually laid the foundation for and created the strategy that culminated in the landmark opinion given by the Supreme Court in the school segregation case of Brown v Board of Education (1954). However, Houston died of heart failure in 1949 at the age of 54 and Marshall took over. He argued the Brown case and won. This was followed by many other cases involving civil rights, including the well-known Little Rock case which he also handled successfully in the Supreme Court.

In 1961 Marshall was appointed as US second Circuit Judge and in 1967 he was elevated to the US Supreme Court where he stayed until his retirement. Whilst in the Supreme Court, Marshall was responsible for or was associated with numerous key decisions.

The American Bar Association recently established the Thurgood Marshall Award to recognize and encourage persons who have made substantial contributions to the advancement of civil rights, civil liberties and human rights in the United States. Justice Marshall was, appropriately, the first recipient of the award. It was due to be handed to him during the ABA Annual Meeting in August 1992.

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